

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Hon. Steven W. Rhodes

John P. Quinn,

Appellant.

v.

City of Detroit, Michigan,

Appellee.

FILED (1)  
2014 DEC - 4 P 12:54  
U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

APPELLANT JOHN P. QUINN'S DESIGNATION OF  
THE CONTENTS OF THE RECORD AND STATEMENT OF ISSUES ON APPEAL

I am filing and serving this Designation and Statement to comply with Fed. R. .  
Bnkr. P. 8009(a)(1) [Effective December 1, 2014]. The Designation and Statement  
relate to the appeal I started by filing a Notice of Appeal (Doc. No. 8369) on November  
21, 2014.

I. DESIGNATION OF RECORD ON APPEAL.

Item No.	Date Filed	Docket No.	Description
1	7/18/13	0001	Voluntary Petition for City of Detroit, Michigan
2	12/5/13	1945	Opinion Regarding Eligibility
3	2/21/14	2708	Plan for the Adjustment of Debts of the City of Detroit
4	2/21/14	2709	Disclosure Statement with Respect to Plan for the Adjustment of the Debts of the City of Detroit

Item No.	Date Filed	Docket No.	Description
5	3/31/14	3380	Amended Plan for the Adjustment of Debts of the City of Detroit
6	3/31/14	3382	Amended Disclosure with Respect to Amended Plan for the Adjustment of Debts of the City of Detroit
7	3/31/14	3390	John P. Quinn's Objections to Disclosure Statement
8	3/31/14	3392	Appearance of John P. Quinn on his Own Behalf and Consent to Electronic Service
9	4/15/14	4140	Second Amended Plan for the Adjustment of Debts of the City of Detroit
10	4/16/14	4141	Second Amended Disclosure Statement with Respect to Second Amended Plan for the Adjustment of Debts of the City of Detroit
11	4/25/14	4271	Third Amended Plan for the Adjustment of Debts of the City of Detroit
12	4/25/14	4272	Third Amended Disclosure Statement with Respect to Second Amended Plan for the Adjustment of Debts of the City of Detroit
13	5/5/14	4391	Fourth Amended Disclosure Statement with Respect to Fourth Amended Plan for the Adjustment if the Debts of the City of Detroit
14	5/5/14	4392	Fourth Amended Plan for the Adjustment if the Debts of the City of Detroit
15	5/26/14	5034	Consolidated Reply to Certain Objections to Confirmation of Fourth Amended Plan for the Adjustment of Debts of the City of Detroit
16	5/27/14	5049	John P. Quinn's Attempted Compliance with Order Regarding Identifying Legal Issues Relating to Confirmation
17	7/1/14	5723	John P. Quinn's Objections to Fourth Amended Plan of Adjustment

Item No.	Date Filed	Docket No.	Description
18	7/22/14	6197	Joint Motion of Objecting Creditors Michael J. Karwoski and John P. Quinn for Briefing Schedule and Hearing on Certain of Movants' Objections to Fourth Amended Plan of Adjustment
19	7/25/14	6257	Fifth Amended Plan for the Adjustment if the Debts of the City of Detroit
20	7/28/14	6379	Corrected Fifth Amended Plan for the Adjustment of the Debts of the City of Detroit
21	8/4/14	6508	Official Committee of Retirees' Memorandum of Law in Support of Confirmation of Fifth Amended Plan for Adjustment of Debts Filed by the City of Detroit, Michigan
22	8/20/14	6908	Sixth Amended Plan for the Adjustment of Debts of the City of Detroit
23	9/5/14	7303	Consolidated Response to Certain <i>Pro Se</i> Objections to Confirmation of the Sixth Amended Plan for the Adjustment of Debts of the City of Detroit
24	9/16/14	7502	Seventh Amended Chapter 9 Plan for the Adjustment of Debts of the City of Detroit
25	10/17/14	7995	Third Order Admitting Exhibits
26	10/21/14	8029	Notice of Filing of Draft Eight Amended Plan for the Adjustment of the Debts of the City of Detroit,
27	10/22/14	8045	Eighth Amended Plan for the Adjustment of the Debts of the City of Detroit
28	10/31/14	8154	Notice of Filing Proposed Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, including attached proposed order
29	11/11/14	8249	Notice of Filing Revised Proposed Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, including attached proposed order
30	11/12/14	8272	Order Confirming Eighth Amended Plan of Adjustment of Debts of the City of Detroit

Item No.	Date Filed	Docket No.	Description
31	11/21/14	8369	John P. Quinn's Notice of Appeal from Order Confirming Eighth Amended Plan of Adjustment
32	11/24/14	8413	John P. Quinn's Motion for Partial Stay Pending Appeal
33	11/26/14	8489	State of Michigan's Consolidated Response in Opposition to Motions to Stay Confirmation Order Pending Appeal
34	11/26/14	8496	City of Detroit's Consolidated Objection to Appellants' Motions for Stay Pending Appeal
35	12/1/14	8533	Order Denying Motions for Stay Pending Appeal
36	Not yet entered.	Not yet docketed	Opinion on Confirmation of Eighth Amended Plan for the Adjustment of Debts of the City of Detroit

I reserve the right to supplement or amend this Designation to the extent permitted by law or court rule.

## II. STATEMENT OF ISSUES ON APPEAL.

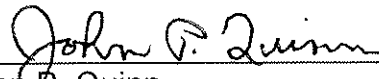
I intend to raise the following issues on appeal:

1. Did the bankruptcy court err as a matter of law by confirming the Eighth Amended Plan for the Adjustment of the Debts of the City of Detroit ("Plan") even though, by attempting to impose the ASF recoupment on claims whose retiree holders have not individually agreed to its application to their claims, the Plan imposes non-consensual less favorable treatment on those claims than on other claims in class 11, in violation of 11 U.S.C. § 1123(a)(4)?
2. Did the bankruptcy court err as a matter of law by confirming the Plan even though it purports to adjust not only the City's liability, if any, on the

claims included in Class 11, but also the liability of the General Retirement System ("GRS"), which is not a debtor in this case, on those claims, in violation of 11 U.S.C. § 941?

3. Did the bankruptcy court err as a matter of law by directing GRS to act as an agent of the City in deducting the Annuity Savings Fund Excess Amount from the Annuity Savings Fund account of each ASF Current Participant?
4. Did the bankruptcy court err as a matter of law by relieving GRS, which is not a debtor in this case, from liability for deducting the Annuity Savings Fund Excess Amount from the Annuity Savings Fund account of each ASF Current Participant?
5. Did the bankruptcy court err as a matter of law by relieving GRS, which is not a debtor in this case, from liability for deducting monthly annuity amounts from certain ASF Distribution Recipients' monthly pension checks?
6. Did the bankruptcy court err as a matter of law by enjoining all individuals affected by the ASF recoupment from commencing any proceedings against the GRS and its trustees, officers, employees or professionals, none of whom are debtors in this case, arising from GRS's compliance with the Plan or the Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of Detroit?
7. Is each of the errors mentioned in Issues 1 - 6, above, reversible?

In the course of discussing these issues I may address related issues and sub-issues. I reserve the rights to raise additional issues and to supplement or amend this Statement the extent permitted by law or court rule.

  
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John P. Quinn  
2003 Military Street  
Detroit, MI 48209  
(313) 673-9548  
[quinjohn@umich.edu](mailto:quinjohn@umich.edu)

Dated: December 4, 2014

### CERTIFICATE OF SERVICE

I certify that on December 4, 2014, I am filing a hard copy of the above document and the attached Exhibit A with the Clerk of the Court. I understand the Clerk will promptly scan that hard copy and file the resulting pdf version using ECF, thus effecting service on all persons entitled to service in this action.

I further certify that on December 4, 2014, I am emailing pdf copies of the above document as follows:


to Heather Lennox, representing the City, at [hlennox@jonesday.com](mailto:hlennox@jonesday.com);

to Sam J. Alberts, representing the Retiree Committee at [sam.alberts@dentons.com](mailto:sam.alberts@dentons.com);

to Robert D. Gordon, representing GRS, at [rgordon@clarkhill.com](mailto:rgordon@clarkhill.com); and

to Ryan C. Plecha, representing DRCEA, at [rplecha@lippittokeefe.com](mailto:rplecha@lippittokeefe.com); and

To Matthew Scheider, representing the State of Michigan, at [SchneiderM7@michigan.gov](mailto:SchneiderM7@michigan.gov).

  
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John P. Quinn  
2003 Military Street  
Detroit, MI 48209  
(313) 673-9548  
[quinjohn@umich.edu](mailto:quinjohn@umich.edu)

Dated: December 4, 2014